

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TINO HOWARD,  
Petitioner,

v.

JERRY BROWN,  
Respondent.

Case No. [15-cv-03238-YGR](#) (PR)

**ORDER OF VOLUNTARY DISMISSAL**

Pursuant to the notice of voluntary dismissal of this action filed by Petitioner on September 18, 2015, this action is terminated. *See* Fed. R. Civ. P. 41(a)(1); *Hamilton v. Shearson-Lehman American Exp. Inc.*, 813 F.2d 1532, 1534-1536 (9th Cir. 1987) (Rule 41(a)(1)(i) does not require leave of court to dismiss the action). The dismissal is without prejudice. *See* Fed. R. Civ. P. 41(a)(1) (unless the notice of dismissal states otherwise, it is deemed to be “without prejudice”); *Humphreys v. United States*, 272 F.2d 411, 412 (9th Cir. 1959).

The Clerk of the Court shall close the file. All pending motions are terminated.

IT IS SO ORDERED.

Dated: October 5, 2015

  
YVONNE GONZALEZ ROGERS  
United States District Court Judge